

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of )  
 )  
MANUEL VILLA, et al. ) Group Art Unit: 1636  
 )  
Serial No.: 09/678,339 ) Examiner: L. Gansheroff  
 )  
Filed: October 3, 2000 )  
 )  
For: CELLS ENGINEERED TO CONTAIN )  
 GENES OF INTEREST WITHOUT )  
 RESISTANCE GENE MARKERS AND )  
 MATERIALS AND METHODS THEREFOR)

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents  
Washington, DC 20231

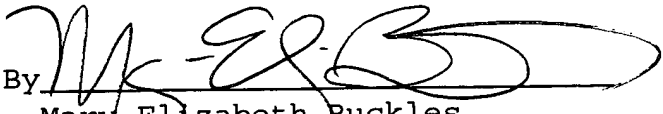
Dear Sir:

In compliance with the duty of disclosure as defined in 37 C.F.R. § 1.56 enclosed herewith for the Examiner's consideration is a copy of the publication listed on the attached Form PTO-1449. This statement is made pursuant to 37 C.F.R. § 1.97(b) since a first Office Action on the merits has not been mailed in the above-identified application.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that:  
  
(1) additional information material to the examination of this

application does not exist; (2) the information, protocols, results and the like reported by third parties are accurate or enabling; or (3) the above information constitutes prior art to the subject invention.

Respectfully submitted,

By   
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Filed: January 5, 2001

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(MODIFIED) PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)  
(37 CFR 1.96(b))

ATTY. DOCKET NO.  
002547/20114

SERIAL NO.  
09/678,339

APPLICANT  
Manuel Villa, et al.

FILING DATE  
October 3, 2000

GROUP  
1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	TAB	PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	2	1	1	2	5	5	3	3/29/38	Bartow, et al.			
	2	5	5	2	9	9	1	2	6/25/96	Henry, et al.			
	3	5	5	9	9	7	0	1	2/4/97	Henry, et al.			
	4	5	2	9	6	3	6	4	3/22/94	Agrawal, et al.			
	5	5	6	1	8	7	0	8	4/8/97	Shirai, et al.			
	6	5	6	2	6	8	4	7	5/6/97	Agrawal, et al.			

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

7	Sutcliffe, J.G., et al., <u>Proc. Natl. Acad. Sci. U.S.A.</u> 75:3737 (1978)
8	Levy, S.B., <u>Scientific American</u> , March 1998, pp. 46-53
9	<a href="http://biosafety.ihe.be/">http://biosafety.ihe.be/</a>
10	<a href="http://www.europa.eu.int/comm/food/index_en.html">http://www.europa.eu.int/comm/food/index_en.html</a>
11	<a href="http://www.vm.cfsan.fda.gov/~dms/opa-micr.html">http://www.vm.cfsan.fda.gov/~dms/opa-micr.html</a>
12	21 C.F.R. 184.1370(c)
13	Bartow, E., et al., <u>Ind. Eng. Chem.</u> 30: 300 (1938)
14	White, M.J., et al., <u>J. Biol. Chem.</u> 266: 863 (1991)
15	Hall, M.N., et al., <u>Cell</u> 36: 1057 (1984)
EXAMINER	
DATE CONSIDERED	

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (MODIFIED) PATENT AND TRADEMARK OFFICE <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> (Use several sheets if necessary) (37 CFR 1.96(b))	<b>ATTY. DOCKET NO.</b> 002547/20114	<b>SERIAL NO.</b> 09/678,339
	<b>APPLICANT</b> Manuel Villa, et al.	
	<b>FILING DATE</b> October 3, 2000	<b>GROUP</b> 1636

U.S. PATENT DOCUMENTS												
EXAMINER INITIAL	TAB	PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION												
		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	TRANSLATION YES NO

**OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)**

	22	Greenberg, M. L., et al., <u>Genetics</u> 100(1):19 (1982)
	23	Brachmann, C.B., et al., <u>Yeast</u> 14: 115 (1998)
	24	Jones, J.S., et al., <u>Yeast</u> 6: 363 (1990),
	25	Greenberg, M., et al., <u>Mol. Gen. Genet.</u> 186: 157 (1982)
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.